

January 29, 1976

CLERK: Mr. President, there is an Attorney General's opinion addressed to Senator Luedtke identified as #167 which will be inserted in full in the Legislative Journal. See pages 444 and 445. Mr. President, an explanation of vote: Had I been present I would have voted aye on LB 175. Signed Senator Marsh. Mr. President, a Reference Committee Report signed by Senator Mahoney that refers LB 115 to the Appropriation Committee. Mr. President, a new bill. LB 687A introduced by Senator Clark. Read title. See page 446, Journal. Mr. President, notice of Committee Hearings. Judiciary has set bills for hearing. Mr. President, your Committee on Judiciary to whom was referred LB 373 instructs me to report the same indefinitely postponed. Signed Senator Luedtke, Chairman. Mr. President, your Committee on Agriculture to whom was referred LB 642 instructs me to report the same to the Legislature the recommendation that it be advanced to General File as amended. LB 647 General File as amended. LB 715 General File as amended. LB 721 General File as amended. LB 722 General File as amended. And LB 681 indefinitely postponed. Signed Senator Schmit, Chairman. Mr. President, your committee on Enrollment and Review reports we have examined and reviewed LB 460 and recommend that it be replaced on Select File as amended. LB 536 replaced on Select File as amended. LB 266 replaced on Select File as amended. Signed Senator Dworak, Chairman. Mr. President, your committee on Public Health to whom was referred LB 692 instructs me to report the same to the Legislature with the recommendation it be advanced to General File as amended, and LB 673 from the Education Committee advanced to General File. That is all, Mr. President. Thank you.

SENATOR SIMPSON: Now back to LB 248. Are there further amendments on the desk?

CLERK: Yes, Mr. President, the next amendment is offered by Senator Cavanaugh to amend the Barnett amendment, section 11 to add: "No law relating to conflicts of interest shall apply to this Board." Signed Senator Cavanaugh.

SENATOR CAVANAUGH: You had better adopt this amendment if you want to create this kind of Board to regulate this kind of industry. You require that the members of the Board have an interest in the thing that they are trying to regulate. We normally prescribe that kind of conduct. We say that it is undesirable in the pursuit of the public interest. In this case, you want to mandate. You want to say you people have to be making money in order... off this system in order to regulate it so you had better adopt an amendment that says that we, in the Legislature, and the people in the State of Nebraska think this is acceptable conduct, think that this is not a conflict of interest because otherwise it is a conflict of interest to put people, require people to serve on a Board who have a direct interest in the outcome of the thing that they are suppose to regulate and control. So you had better say it and adopt the amendment.

SENATOR SIMPSON: Senator Kennedy, on the amendment.

SENATOR KENNEDY: Mr. President, fellow members, very briefly, I would like to say that the Boards we are